



NEWS

Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS
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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MAY 8, 2000

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-51 People v. Buckhalter, S086220. (B128851.) Unpublished opinion. Petitions for review after the Court of Appeal affirmed a judgment on resentencing in a criminal case. The court limited review to the issue whether the trial court must recalculate custody and conduct credits when it resents a defendant upon remand for resentencing.

#00-52 People v. Hightower, S086456. (A081424; 77 Cal.App.4th 1123.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#00-53 People v. Parker, S086289. (E021559.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

The court ordered briefing deferred in Hightower and Parker pending decision in People v. Metters, S069442 (#98-70), and People v. Cleveland, S078537 (#99-94), which concern the propriety of removing a juror for refusing to deliberate and follow the law.

(over)

#00-54 People v. Mancebo, S086481. (F028473; 77 Cal.App.4th 1253.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case concerns whether a defendant may be sentenced under the provisions of Penal Code section 667.61 when the pleadings otherwise allege the facts necessary for such sentencing but do not specifically allege them as a circumstance authorizing an increased sentence under that provision.

#00-55 Miranda on Habeas Corpus, S058528. Original proceeding.

#00-56 Miranda on Habeas Corpus, S060781. Original proceeding.

These matters, which are related to the automatic appeal People v. Miranda (1988) 44 Cal.3d 57 and a further murder conviction of the same defendant, involve claims the prosecution failed to disclose material exculpatory evidence.

#00-57 Sweatman v. Department of Veterans Affairs, S086696. (E022817; 77 Cal.App.4th 1371.) Petition for review after the Court of Appeal affirmed an order denying a motion for judgment notwithstanding the verdict in a civil case. This case concerns whether the disability coverage the Department of Veterans Affairs provides to cover a home mortgage made by the Department is “insurance” subject to the Insurance Code provisions regarding rescission.

DISPOSITION

#99-193 People v. Mackey, S082726, was transferred to the Court of Appeal for reconsideration of the sufficiency of the evidence of a prior conviction.

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